

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RADIO SYSTEMS CORPORATION and  
INNOTEK, INC.,

Plaintiffs,

vs.

TOM LALOR, individually, and BUMPER  
BOY, INC.,

Defendants.

Case No. 2:10-cv-00828 RSL

DECLARATION OF JENNIFER  
WATERHOUSE IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT

NOTE ON MOTION CALENDAR:  
September 30, 2011

I, Jennifer Waterhouse, being conscious of the penalties of perjury under both  
Washington State and federal law, state as follows:

1. I am employed as the Director of Legal Services and Risk Management for  
both Radio Systems Corporation ("Radio Systems") and Innotek, Inc. ("Innotek") and  
have held this position since April 1, 2011. Additionally, I began my employment with  
Radio Systems and Innotek as a Staff Accountant in June of 2004. Unless otherwise  
stated, the facts stated herein are known to me of my own personal knowledge and, if  
called upon as a witness, I could and would testify competently to them.

1           2.       Based on a review of the business records of Radio Systems and Innotek, Innotek  
2 first became aware of U.S. Patent No. 6,830,014 upon receipt of the letter dated February 21,  
3 2005 sent by Lalor to Innotek. A true and correct copy of the letter is attached to the Declaration  
4 of Regina Culbert ("Culbert Decl.") at Exhibit 9.

5           3.       Based on a review of the business records of Radio Systems and Innotek, a true  
6 and correct copy of the letter dated April 29, 2005 sent by Innotek to counsel for Lalor is  
7 attached to the Culbert Decl. at Exhibit 10.

8           4.       Based on a review of the business records of Radio Systems and Innotek, Innotek  
9 never received a response to the April 29, 2005 letter, and the UltraSmart collar remained in the  
10 market.  
11

12           5.       Based on a review of the business records of Radio Systems and Innotek, Innotek  
13 and Radio Systems had no knowledge of the continuation application filed by Lalor that resulted  
14 in U.S. Patent No. 7,267,082 until Radio Systems received a copy of the letter dated November  
15 19, 2009. Attached as Exhibit 11 to the Culbert Decl. is a true and correct copy of the letter  
16 dated November 19, 2009 received by Radio Systems from counsel for Defendant Tom Lalor.  
17

18 Signed in Knox County, Tennessee.  
19

20 Further declarant sayeth not.

21 Dated this 1<sup>st</sup> day of September, 2011  
22

23 By: Jennifer Waterhouse  
24 Jennifer Waterhouse  
25  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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